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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,) CASE NO. CR18-131-RAJ
08 Plaintiff,)
09 v.) DETENTION ORDER
10 MARTIN JEFFREY BANKS,)
11 Defendant.)
12 _____)

13 Offenses charged in Indictment:

14 Count 1 – Conspiracy to Distribute Controlled Substances, including
15 cocaine (5+ kilos), heroin methamphetamine, marijuana, and oxycodone
16 Count 7 – Possession of cocaine with intent to distribute (500+ grams)
17 Count 29 – Possession of cocaine with intent to distribute

18 Date of Detention Hearing: June 15, 2018 .

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth,
21 finds that no condition or combination of conditions which defendant can meet will
22 reasonably assure either the safety of other persons and the community or that defendant will

01 make his future appearances as directed.

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03 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

04 (1) The Indictment charges defendant with three drug offenses, each of which carries a
05 maximum penalty of more than ten years of imprisonment. There is therefore a
06 rebuttable presumption that defendant will be detained both as a flight risk and as a
07 danger.

08 (2) Defendant has presented nothing which persuasively rebuts this presumption.

09 (3) His criminal history extends for approximately 30 years. While the vast majority of
10 his convictions are for traffic-related offenses, he also has three convictions for
11 controlled substance violations, a criminal prosecution for rented/leased equipment,
12 resisting arrest, and forgery,

13 (4) He has failed to appear on many, many occasions. King County authorities report that
14 88 warrants for failures to appear were issued from King County alone. There are
15 warrants from Oregon, and defendant acknowledged he was aware of them. There is
16 also a fugitive warrant pending from Georgia. This is compelling evidence that, if this
17 court were to release him on bond in this case, there is little chance he would make his
18 court appearances as directed.

19 (5) Defendant proposes to reside with his son and family, if released by this court. But his
20 son has a criminal history of his own. He just completed serving a 37-month sentence
21 for felon in possession of a firearm, and is on supervision in this court. He also has a
22 prior federal case for the same offense. The son's presentence report indicates he is a

01 member of the East Union Street Hustlers gang. Defendant's daughter-in-law also has
02 a criminal record, consisting of at least one gross misdemeanor conviction. The
03 Pretrial Services Office does not support this proposed place of residence for
04 defendant. The court endorses this conclusion.

05 (6) Defendant received gunshot wounds in his legs in 1986 and 2016, and currently
06 suffers infections and significant pain from those wounds. Defendant considers them
07 life-threatening. He treats them with marijuana, but acknowledges that he could not
08 do so if released on bond by this court.

09 (7) He is unemployed, and receives disability benefits by reason of his gunshot wounds.

10 (8) He is alleged to have used an alias, three different Social Security numbers, and three
11 different dates of birth.

12 (9) A Seattle Police Officer, who serves with the FBI Task Force, reports that defendant is
13 affiliated with the 'east Union Street Hustlers gang. Defendant denies this.

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15 It is therefore ORDERED:

16 1. Defendant shall be detained pending further proceedings and committed to the custody
17 of the Attorney General for confinement in a correction facility separate, to the extent
18 practicable, from persons awaiting or serving sentences or being held in custody
19 pending appeal;

20 2. Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

01 3. On order of the United States or on request of an attorney for the Government, the
02 person in charge of the corrections facility in which defendant is confined shall deliver
03 the defendant to a United States Marshal for the purpose of an appearance in
04 connection with a court proceeding;

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06 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
07 for the defendant, to the United States Marshal, and to the United States Pretrial
08 Services Officer.

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10 DATED this 15th day of June, 2018.

11 s/ John L. Weinberg
12 United States Magistrate Judge
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